REMARKS

Claims 13-16, 20-22, 43, 44, 46, 47, 49, 50, 53-60, 62-71, 73-75 and 77-80 presently appear in this case. Claims 13-16, 21, 47, 55, 62-64, 70 and 71 have been allowed. Claim 20 has been objected to. The remaining claims are subject to rejection. The official action of October 31, 2007, has now been carefully studied. Reconsideration and allowance are hereby respectfully urged.

Briefly, the present invention relates to cDNA sequences that encode polypeptides that bind to TRAF2 as well as the polypeptides encoded by those DNA sequences. Preferably, the polypeptide is NIK. The invention also relates to antibodies, methods of identification and screening, anti-sense DNA and a method of use of the anti-sense DNA.

Claims 22, 43, 44, 46, 49, 50, 53, 54, 59, 60, 65-69, 73-75 and 77-79 have been rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The examiner states that despite applicants' arguments to the contrary, the claims still read on fragments because they use the term "an amino acid sequence of an analog of (a) …." The examiner states that an undefined amino acid sequence can include a fragment of an analog of (a). The examiner states that the same applies to claim 53,

as well as claim 60. In addition, the examiner states that the phrase "or complementary to the entirety of the mRNA encoding a TRAF2-binding protein," in claim 60, is not supported by the specification as filed. This rejection is respectfully traversed.

As best understood, it is believed that this rejection can be overcome by simply changing the terminology "an amino acid sequence of an analog" to read "the amino acid sequence of an analog". This language does not read on unidentified fragments. Accordingly, insofar as the rejection applies to claims 69, 53 or 60, or those claims depending therefrom, the rejection has now been obviated.

With respect to examiner's statement that the language "or complementary to the entirety of the mRNA encoding a TRAF2-binding polypeptide" not being supported by the specification, this part of the rejection is also respectfully traversed. Paragraph [0042](i) refers to "an oligonucleotide sequence encoding an anti-sense sequence for at least part of the DNA sequence encoding a TRAF2-binding protein." The language "at least part of the DNA sequence encoding" means to those of ordinary skill of the art that the anti-sense sequence is complementary to a part of the DNA sequence or the whole sequence. Furthermore, in paragraph [0100] of the present specification, it refers to

"oligonucleotides having the anti-sense coding sequence for the proteins of the invention." This would suggest that the anti-sense sequence is complementary to the coding sequence of the entire protein. Certainly, it would be expected that the anti-sense of the entire protein would have the required utility of effectively blocking the translation of mRNAs encoding the proteins, and thereby blocking their expression, and leading to the inhibition of the undesired effect, all as required by this paragraph [0100].

Paragraph [0161] refers to "an oligonucleotide sequence encoding an anti-sense sequence of the TRAF-binding protein sequence." The term "an anti-sense sequence" reads on any sequence which those of ordinary skill in the art would understand to be an anti-sense sequence of a protein, i.e., long enough to have the required utility. In view of this disclosure, it is believed that the intent of original claim 60 was to cover anti-sense of the entire protein, or portions thereof, as this is what is meant by the term "at least a portion of the protein." Accordingly, reconsideration and withdrawal of this part of the rejection is also respectfully urged.

Claims 56-58 have been rejected under 35 USC 112, second paragraph, as being indefinite. The examiner states

that claim 55 requires cDNA sequences while claims 56-58 refer generally to DNA sequences.

Claims 56-58 have now been amended to refer only to cDNA sequences, thus eliminating this ground of indefiniteness.

Claim 60 has been rejected under 35 U.S.C. 102(e) as being anticipated by Gill. The examiner states that Gill discloses an oligonucleotide of 30 base pairs in length that is 100% complimentary to a portion of mRNA encoding a TRAF2-binding polypeptide comprising a portion of SEQ ID NO: 3. The examiner acknowledges that the prior art does not teach that the disclosed oligonucleotide would function as an anti-sense molecule. The examiner states that the oligonucleotide is inherently anticipated. This rejection is respectfully traversed.

Claim 60 has now been amended to be a method of use claim, rather than a compound claim. Thus, even if SEQ ID NO: 17 of Gill is inherently the same as something that can be used as an anti-sense, it would not anticipate current claim 60 drawn to a method of blocking the translation of the mRNA encoding one of the specified TRAF2 binding polypeptides. The language of claim 60 is supported, for example, by the language in paragraph [0042](i) of the present specification.

Furthermore, new claim 80 has now been added, which is the same as previously appearing claim 60, but without referring to the protein encoded by the nucleotide sequence of SEQ ID NO: 3. Accordingly, this claim is not anticipated by Gill. Reconsideration and withdrawal of this rejection is therefore respectfully urged.

It is submitted that all the claims now present in the case clearly define over the references of record and fully comply with 35 U.S.C. 112, reconsideration and allowance are therefore earnestly solicited.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant(s)

By /rlb/
Roger L. Browdy
Registration No. 25,618

RLB:edg
Telephone No.: (202) 628-5197
Facsimile No.: (202) 737-3528
G:\BN\I\inl2\wallach21\pto\2008-03-31Amd.doc